

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
2 Charles K. Verhoeven (Bar No. 170151)
3 charlesverhoeven@quinnemanuel.com
4 David A. Perlson (Bar No. 209502)
5 davidperlson@quinnemanuel.com
6 Melissa Baily (Bar No. 237649)
7 melissabaily@quinnemanuel.com
8 John Neukom (Bar No. 275887)
9 johnneukom@quinnemanuel.com
10 Jordan Jaffe (Bar No. 254886)
11 jordanjaffe@quinnemanuel.com
12 50 California Street, 22nd Floor
13 San Francisco, California 94111-4788
14 Telephone: (415) 875-6600
15 Facsimile: (415) 875-6700

16 Attorneys for WAYMO LLC

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

19 WAYMO LLC,

20 CASE NO. 3:17-cv-00939-WHA

21 Plaintiff,

22 **DECLARATION OF JOHN W.
MCCAULEY IN SUPPORT OF
PLAINTIFF WAYMO LLC'S
SUPPLEMENTAL MOTION FOR
CONTINUANCE AND RESPONSE TO
REQUEST FOR INPUT ON PENDING
MOTION TO CONTINUE TRIAL**

23 vs.

24 UBER TECHNOLOGIES, INC.;
25 OTTOMOTTO LLC; OTTO TRUCKING
26 LLC,

27 Defendants.

1 I, John W. McCauley, hereby declare as follows.

2 1. I am a member of the bar of the State of California and an associate with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC (“Waymo”). I make this
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and
5 would testify competently as follows.

6 2. Attached as Exhibit 1 is a true and correct copy of a compilation of exemplary
7 documents located as part of the review of documents and files collected by Stroz that embody
8 Waymo trade secrets.

9 3. Attached as Exhibit 2 is a true and correct copy of a compilation of exemplary
10 documents located as part of the review of the documents and files collected by Stroz and held at
11 the offices of Morrison and Foerster that embody Waymo trade secrets.

12 4. Attached as Exhibit 3 is a true and correct copy of a document produced by Uber
13 bearing bates label UBER00072238-49.

14 5. Attached as Exhibit 4 is a true and correct copy of an email from counsel for Uber
15 regarding “emails and documents from an Anthony Levandowski Ottomotto account that w[ere]
16 not migrated over to Uber.”

17 6. Attached as Exhibit 5 is a true and correct copy of forensic analysis metadata
18 listings for Google files accessed by Anthony Levandowski.

19 7. Attached as Exhibit 6 is a true and correct copy of list of files in the “chauffeur”
20 folder of Mr. Levandowski’s Dropbox/Gmail account.

21 8. Attached as Exhibit 7 is a true and correct copy of Exhibit 5 to the Stroz Report.

22 9. Attached as Exhibit 8 is a true and correct copy of the Rebuttal Expert Report of
23 Paul French.

24 10. Attached as Exhibit 9 is a true and correct copy of a September 29, 2017 email
25 exchange between Special Master Cooper and counsel for Uber regarding a declaration ordered to
26 be filed by Magistrate Judge Corley.

27 11. Attached as Exhibit 10 is a true and correct copy of an excerpt from the September
28, 2017 deposition of Eric Friedberg.

1 12. Exhibit 11 was intentionally omitted.

2 13. Attached as Exhibit 12 is a true and correct copy of a September 29, 2017 email
3 exchange between counsel for Waymo and counsel for Uber regarding supplementation of
4 interrogatory responses.

5 14. Attached as Exhibit 13 is a true and correct copy of an email thread between
6 counsel for Uber and counsel for Waymo entitled Waymo v. Uber - Slack Access.

7 15. Exhibit 14 was intentionally omitted.

8 16. Exhibit 15 was intentionally omitted.

9 17. Attached as Exhibit 16 is a true and correct copy of an email thread titled Waymo
10 v. Uber – Levandowski privacy search hits.

11 18. Attached as Exhibit 17 is a true and correct copy of an email from counsel for
12 Travis Kalanick to counsel for Waymo regarding Mr. Kalanick’s scheduled deposition.

13 19. Attached as Exhibit 18 is a true and correct copy of an email thread between
14 counsel for Waymo and counsel for Uber regarding Waymo’s source code inspection.

15 20. Attached as Exhibit 19 is a true and correct copy of an excerpt from the August 2,
16 2017 deposition of Jur Van Den Berg.

17 21. Attached as Exhibit 20 is a true and correct copy of an email thread between
18 counsel for Waymo and counsel for Defendants entitled Waymo; Stroz materials at MoFo.

19 22. Attached as Exhibit 21 is a true and correct copy of Exhibit 16 to the Stroz Report.

20 23. Attached as Exhibit 22 is a true and correct copy of the Stroz Report.

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct.

23
24 DATED: October 2, 2017

/s John W. McCauley
John W. McCauley

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2 **SIGNATURE ATTESTATION**

3 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
4 filing of this document has been obtained from John W. McCauley.

5
6 */s/ Charles K. Verhoeven*
7 Charles K. Verhoeven

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